

Minutes of Zoning Commission

March 26, 2024

The regular meeting of the Bainbridge Township Zoning Commission was called to order by Ms. Marlene Walkush, Chair at 6:03 P.M. Members present were: Ms. Kristina Alaei; Ms. Lorrie Sass Benza; Ms. Stephanie Puzzo and Ms. Jill Adams, Alternate. Mr. John Lateulere and Ms. Laura Weber, Alternate were absent. Also present was Mr. Dave Dietrich, Planning and Zoning Coordinator.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC COMMENTS

None.

MINUTES

Ms. Puzzo moved to adopt the minutes of the February 27, 2024 meeting as written.

Ms. Sass Benza seconded the motion.

Vote: Ms. Adams, aye; Ms. Alaei, aye; Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Walkush, aye.

NEW BUSINESS

Proposed Zoning Amendment Z-2024-1

The Zoning Commission reviewed the proposed amendment and noted that it is an amendment to Chapter 140 – Active Public Park District; Chapter 142 – Passive Public Park District; Chapter 165 – Nonconformities and Chapter 186 – Wireless Telecommunications Towers and Facilities.

Ms. Walkush reported that she met with Geauga County Assistant Prosecuting Attorney Linda Applebaum on March 14, 2024 for a review of proposed zoning amendment Z-2024-1 and it received approval from a legal perspective with the indication that nothing in this proposed amendment presents a legal concern. Ms. Applebaum suggested that in Chapter 165.16 (Nonconformities) consent judgment “entries” be changed to consent judgment “orders”. After some discussion the Zoning Commission was in agreement not to change the word “entries” to “orders” when referring to “Consent judgment entries for lots of record”.

Motion to Initiate Proposed Zoning Amendment Z-2024-1

Ms. Sass Benza moved the adoption of the following motion:

That an amendment to the Bainbridge Township Zoning Resolution, identified as number Z-2024-1, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Bainbridge Township Zoning Commission this 26th day of March, 2024.

Ms. Alaei seconded the motion.

Vote: Ms. Adams, aye; Ms. Alaei, aye; Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Walkush, aye.

Motion to Set a Date for a Public Hearing on Proposed Zoning Amendment Z-2024-1

Ms. Alaei moved the adoption of the following motion:

That the Bainbridge Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number Z-2024-1 to the Bainbridge Township Zoning Resolution as attached hereto on the 30th day of April, 2024 at 6:15 P.M. at the Bainbridge Town Hall and request that the Bainbridge Township Board of Trustees issue a purchase order for the necessary legal advertising.

Ms. Puzzo seconded the motion.

Vote: Ms. Adams, aye; Ms. Alaei, aye; Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Walkush, aye.

OLD BUSINESS

Zoning Authority for Statutory Townships

The Zoning Commission continued its discussion from last month on the recommendation to the Ohio Senate Select Committee on Housing to rescind all zoning authority for statutory townships in the state of Ohio.

Chapter 159 – Environmental Standards and Chapter 160 – Establishment of Riparian Setbacks

The Zoning Commission discussed the proposed zoning amendment for Chapter 159 and Chapter 160.

Mr. Dietrich reported on his recent meeting with Mr. Steve Averill, Zoning Inspector; Mr. John Lateulere and Ms. Carmella Shale, Director of the Geauga Soil and Water Conservation District regarding Chapter 160. There was not a recommendation for any changes to Chapter 160.

OTHER BUSINESS

Conditional Uses and MUP District

The Zoning Commission discussed the current Conditional Use and MUP regulations and was in agreement that these would be good topics to discuss with the Board of Zoning Appeals in a round table discussion with the Board of Trustees.

Role of Zoning Commission and Board of Zoning Appeals

Ms. Sass Benza explained to the Zoning Commission members the differences between the Zoning Commission and the Board of Zoning Appeals and the role the boards play with regards to township zoning.

Adult Use Cannabis Operators

The Zoning Commission discussed proposed zoning regulations for possible future Adult Use Cannabis Operators.

Agriculture

The Zoning Commission discussed agriculture per the Ohio Revised Code.

CORRESPONDENCE

1. Bainbridge Township Board of Trustees Meeting Minutes, dated February 12, 2024 - Special; February 12, 2024 – Noon Special; February 12, 2024 – Regular; February 26, 2024 – Regular.
2. Resolution by the Bainbridge Township Board of Trustees, dated March 11, 2024. Re: A Resolution to Prohibit Adult Use Cannabis Operators Within the Unincorporated Area of Bainbridge Township.
3. Notice from the Ohio Township Association. RE: Zoning Rights – Importance of Township Zoning and Issues Being Raised Regarding Township Zoning.

Since there was no further business to come before this meeting of the Bainbridge Township Zoning Commission, Ms. Adams made a motion to adjourn.

Ms. Sass Benza seconded the motion that passed unanimously. The meeting was adjourned at 7:36 P.M.

Respectfully submitted,

Linda L. Zimmerman
Zoning Commission Secretary

Marlene Walkush, Chair

Date Approved: April 30, 2024